

HOUSE BILL NO. 469

INTRODUCED BY D. RICE, ADAMS, ANDERSEN, BARRETT, D. BROWN, CALLAHAN, CLANCY,
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LEWIS, LINDEEN, MATTHEWS, MCGEE, D. MOOD, NEWMAN, RASER, RIPLEY, SCHRUMPF, TASH,
WAITSCHIES, J. WHITAKER

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING RURAL FIRE DISTRICT TRUSTEES TO ACQUIRE
REAL PROPERTY ALONG WITH EQUIPMENT, HOUSING, AND FACILITIES NECESSARY FOR FIRE
PROTECTION; ~~AND~~ AMENDING SECTIONS 7-33-2105, 7-33-2109, AND 7-33-2111, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-33-2105, MCA, is amended to read:

"7-33-2105. Powers and duties of trustees. (1) The trustees shall prepare and adopt suitable
bylaws.

(2) The trustees ~~shall~~ have the authority to provide adequate and standard firefighting and
emergency response apparatus, equipment, personnel, housing, and facilities, including real property for
the protection of the district. They shall appoint and form fire companies that ~~shall~~ have the same duties,
exemptions, and privileges as other fire companies.

(3) The trustees shall prepare annual budgets and request special levies ~~therefor~~ for the budgets.
The budget laws relating to county budgets ~~shall~~ must, as far as applicable, apply to fire districts."

Section 2. Section 7-33-2109, MCA, is amended to read:

"7-33-2109. Tax levy, debt incurrence, and bonds authorized. (1) At the time of the annual levy
of taxes, the board of county commissioners may, subject to 15-10-420, levy a special tax upon all
property within a rural fire district for the purpose of buying or maintaining fire protection facilities,
including real property, and apparatus, including emergency response apparatus, for the district or for the
purpose of paying to a city, town, or private fire service the consideration provided for in any contract with
the council of the city, town, or private fire service for the purpose of furnishing fire protection service to

1 property within the district. The tax must be collected as are other taxes.

2 (2) The board of county commissioners or the trustees, if the district is governed by trustees, may
3 pledge the income of the district, subject to the requirements and limitations of 7-33-2105(3), to secure
4 financing necessary to procure equipment and buildings, including real property, to house the equipment.

5 (3) In addition to the levy authorized in subsection (1), a district may borrow money by the
6 issuance of bonds to provide funds for the payment of all or part of the cost of buying or maintaining fire
7 protection facilities, including real property, and apparatus, including emergency response apparatus, for
8 the district.

9 (4) The amount of debt incurred pursuant to subsection (2) and the amount of bonds issued
10 pursuant to subsection (3) and outstanding at any time may not exceed 18% of the taxable value of the
11 property in the district as ascertained by the most recent assessment for state and county taxes prior to
12 the incurrence of debt or the issuance of the bonds.

13 (5) The bonds must be authorized, sold, and issued and provisions must be made for their payment
14 in the manner and subject to the conditions and limitations prescribed for the issuance of bonds by
15 counties under Title 7, chapter 7, part 22."

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17 **Section 3.** Section 7-33-2111, MCA, is amended to read:

18 **"7-33-2111. Fire district capital improvement fund.** The trustees of a fire district may establish
19 a capital improvement fund. The fund may be used for the acquisition and replacement of equipment or
20 facilities, including real property. The cost of the equipment must exceed \$5,000, and the equipment must
21 have a life expectancy of 5 years or more."

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23 NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AN APPROVAL.

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